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OVER PRIOR PATENTS AND TO OBTAIN A PROVISIONAL DOUBLE
PATENTING REJECTION OVER A PENDING SECOND APPLICATION**

Docket Number (Optional)

500.36172VC3

In re Application of: Yasuko FUKUZAWA et al.

Application No.: 10/663,662

Filed: September 17, 2003

For: HETEROGENEOUS COMPUTER SYSTEM, HETEROGENEOUS INPUT/OUTPUT SYSTEM AND DATA
BACK-UP METHOD FOR THE SYSTEMS

The owner, HITACHI, LTD., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 and 173, as presently shortened by any terminal disclaimer, of prior Patents No. 6,098,129, No. 6,529,978 B1, and No. 6,721,841 B2, and as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending second application Number 10/663,656, filed on September 17, 2003, of any patent on the pending second application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it, the prior patents No. 6,098,129, No. 6,529,978 B1, and No. 6,721,841 B2, and the second pending application 10/663,656 are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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